## DEVINE PARK LLP PLANNING AND DEVELOPMENT LAWYERS

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Matter No. F005-04

January 20, 2022

#### **CONFIDENTIAL AND WITHOUT PREJUDICE**

VIA EMAIL mark.crawford@toronto.ca

Mr. Mark Crawford
City of Toronto Legal Services
Planning & Administrative Tribunal Law
Metro Hall, 26th Floor
55 John Street
Toronto, ON M5V 3C6

Dear Mr. Crawford:

RE: 8-16 Locust Street and 15 Oxford Drive, Toronto

Appeals to OLT for Official Plan Amendment and Rezoning Application

OLT Case No. PL210089

City File 20 113215 WET 05 OZ

Without Prejudice Settlement Offer

As you know, we are the solicitors for 8 Locust Nominee Inc., 10-16 Locust Nominee Inc. and Stanchester Charitable Foundation, the owners of the lands known municipally as 8-16 Locust Street and 15 Oxford Drive in the City of Toronto (the "Site"), and Trolleybus Urban Development Inc., the applicant/appellant with respect to the above noted applications/appeals.

We are pleased to provide the following settlement offer on a without prejudice basis in full settlement of these appeals:

- (1) Our client would agree to formally revise its development proposal from a 35 storey building to a 36 storey building with a tower floor plate of 750 square metres, increased tower setbacks to the north property line and a number of other proposed modifications to the development as set out in the architectural plans dated January 17, 2022 prepared by WZMH (the "Revised Proposal") which are attached;
- (2) The approved parking rates to be contained in the final zoning by-law amendments are as set out in the attached letter from WSP dated January 17, 2022 which are as follows:
  - a. A minimum residents parking ratio of 0.30 parking spaces per unit;

- b. A minimum visitors parking ratio of 0.06 parking spaces per unit; and
- c. A maximum of 11 small car parking spaces would be permitted;
- (3) In terms of Section 37 benefits, our client is prepared to provide the following benefits:
  - a. an upwardly indexed cash payment in the amount of \$1 Million Five Hundred Thousand (\$1,500,000) prior to the first above grade building permit for the lands to be allocated as follows:
    - i. \$250,000 for streetscape improvements within the vicinity of the Site; and
    - ii. \$1,250,000 for community benefits as determined by the Chief Planner in consultation with the local Councillor; and
- (4) In terms of parkland, our client is agreeable to satisfying its parkland obligations through a cash-in-lieu of parkland payment to the City.

It should be noted that any settlement on the Section 37 matters would be conditional on a Final Order issuing for the zoning by-law amendment prior to the City's adoption of a new Community Benefits Charge By-law pursuant to Section 37 of the *Planning Act* and thereby the proposed development being exempt from the new CBC By-law.

I understand you will be reporting to the February 2 and 3, 2022 City Council meeting with respect to this without prejudice settlement offer.

In terms of the site plan control application which has been filed with the City, and assuming City Council accepts this without prejudice settlement offer regarding our client's appeals of its Official Plan amendment and zoning by-law amendment applications, our client will provide a full OPA, rezoning and site plan resubmission by February 18, 2022. The parties would work together to expeditiously finalize the NOAC. Following City Council's acceptance of the without prejudice settlement offer, the parties would also jointly contact the OLT to advise of the settlement and to secure a settlement hearing date.

Further, if City Council accepts this settlement offer, we would request City staff to report to City Council on the related Rental Housing Demolition application as soon as possible.

Finally, in the event City Council accepts this settlement offer, our client will not object to the OLT withholding its final order(s) amending the Official Plan and the applicable zoning by-laws until such time as:

(1) the proposed Official Plan and Zoning By-law Amendments are in a final form and content satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

- (2) a Section 37 Agreement has been executed and registered in priority to secure the Section 37 contribution and related matters;
- (3) City engineering staff are satisfied with our client's Functional Servicing Report, Stormwater Management Report, Hydrogeological Report and Groundwater Report, all as may be revised at the direction of City engineering staff, to ensure the development is appropriately serviced, inclusive of any upgrades or required improvements to existing municipal infrastructure should it be determined by City engineering staff that upgrades or improvements are required to support the development; and
- (4) appropriate arrangements with the City have been made for our client to financially secure, construct and make operational, any upgrades or required improvements to the existing municipal infrastructure, that may be required to support the development;

In support of this without prejudice settlement offer for our client's appeals of the Official Plan amendment and zoning by-law amendment applications, please find attached the following:

- (1) Architectural Plans dated January 17, 2022 prepared by WZMH;
- (2) Letter from WSP dated January 17, 2022 entitled Parking Justification and Small Car Parking Review for 8-16 Locust Street Post Cul-De-Sac Conveyance; and
- (3) Memo from Bousfields Inc. dated January 18, 2022 with provides an overview of the revisions from the original proposal to the settlement proposal.

We can confirm that if City Council accepts the above noted settlement terms, this offer will become with prejudice and this settlement offer can be released to the public.

If you have any questions regarding the above, please do not hesitate to contact me at 416.645.4572 or via email at jason.park@devinepark.com.

Yours very truly,

**Devine Park LLP** 

Jason Park JIP/ss

**Enclosures** 

cc: Trolleybus Urban Development et al.



### ARCHITECTURAL DRAWING LIST

**CONTEXT PLAN** A-100 SURVEY SITE PLAN A-101 A-200 PARKING LEVEL P3 A-201 PARKING LEVEL P2 A-202 PARKING LEVEL P1 A-202A PARKING LEVEL P1 MEZZ. A-203 GROUND FLOOR PLAN A-203A GROUND FLOOR MEZZANINE FLOOR PLAN A-204 2ND PODIUM FLOOR PLAN A-205 3RD-19TH FLOOR PLAN A-206 20TH-35TH FLOOR PLAN MECHANICAL PENTHOUSE A-207 A-208 **ROOF PLAN** A-400 EAST ELEVATION SOUTH ELEVATION A-402 WEST ELEVATION NORTH ELEVATION A-403 A-404 NORTH-SOUTH BUILDING SECTION EAST-WEST BUILDING SECTION A-405 SUN SHADOW STUDY A-411 SUN SHADOW STUDY A-412

# 8-16 LOCUST ST. & 15 OXFORD DR.

# RESIDENTIAL DEVELOPMENT

8-16 Locust St. & 15 Oxford Dr., Toronto, ON

ISSUED FOR REZONING APPLICATION - 2022-01-17

PROJECT NUMBER: 07890.000

1 CONT-XT PLAN

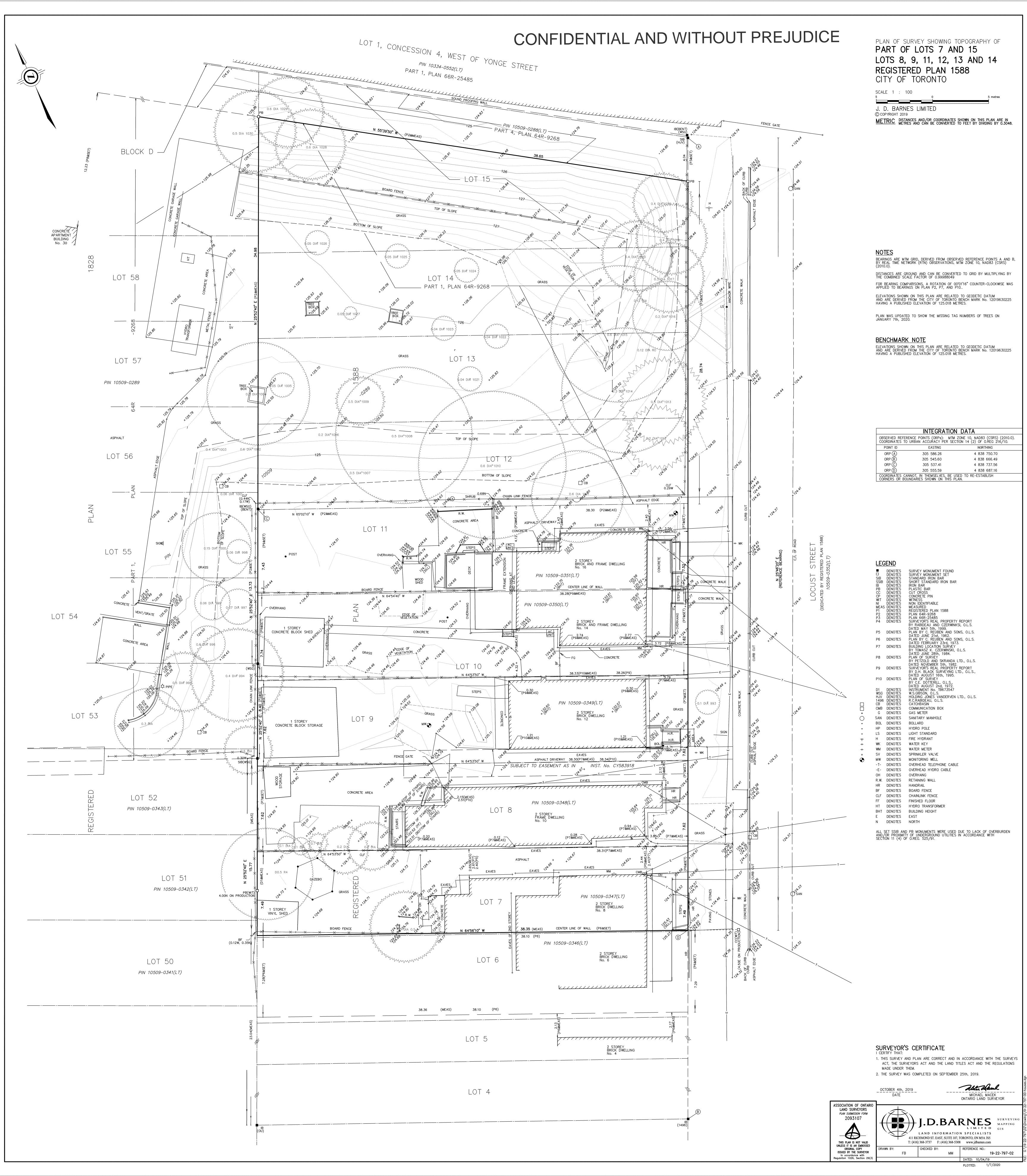
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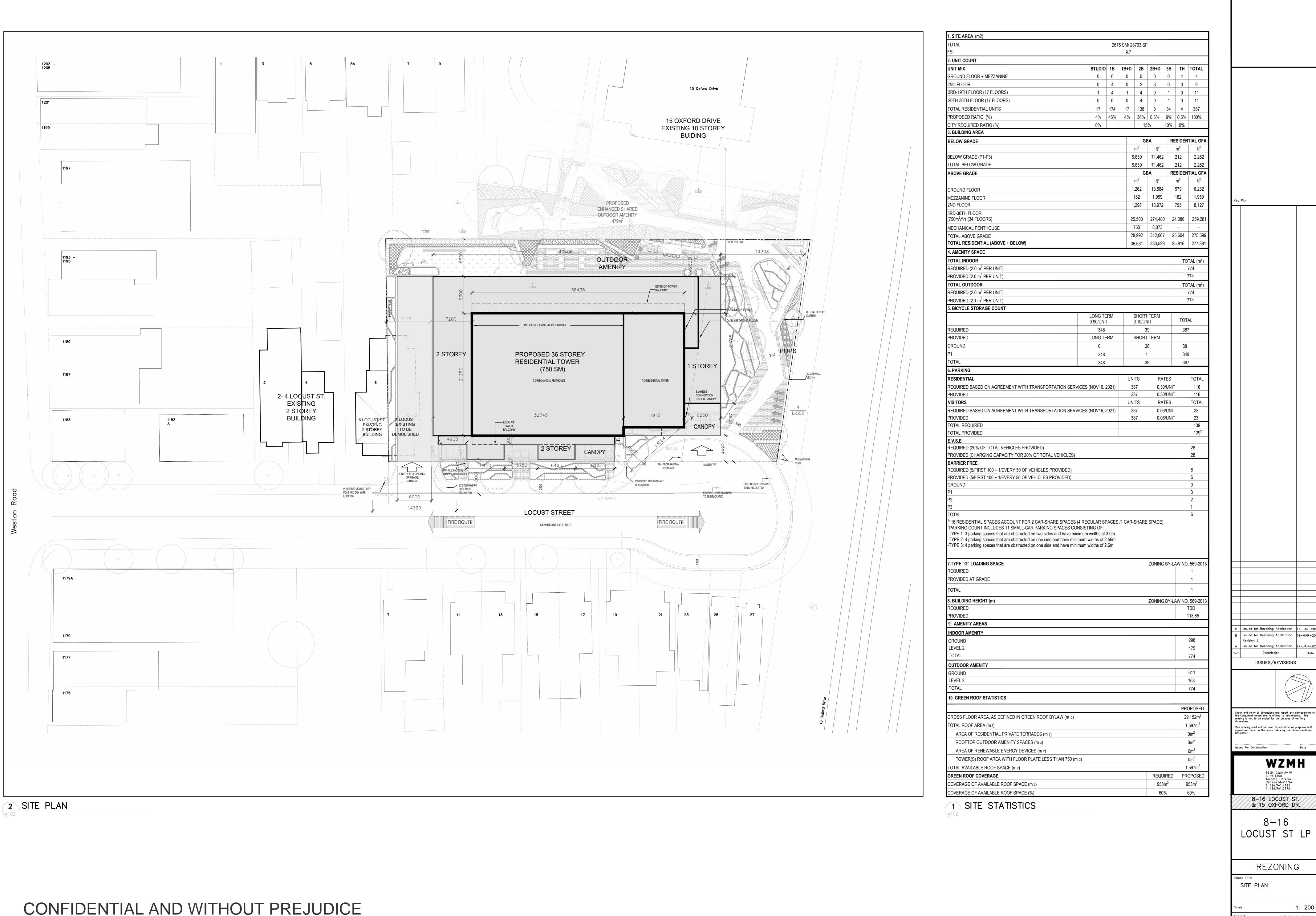
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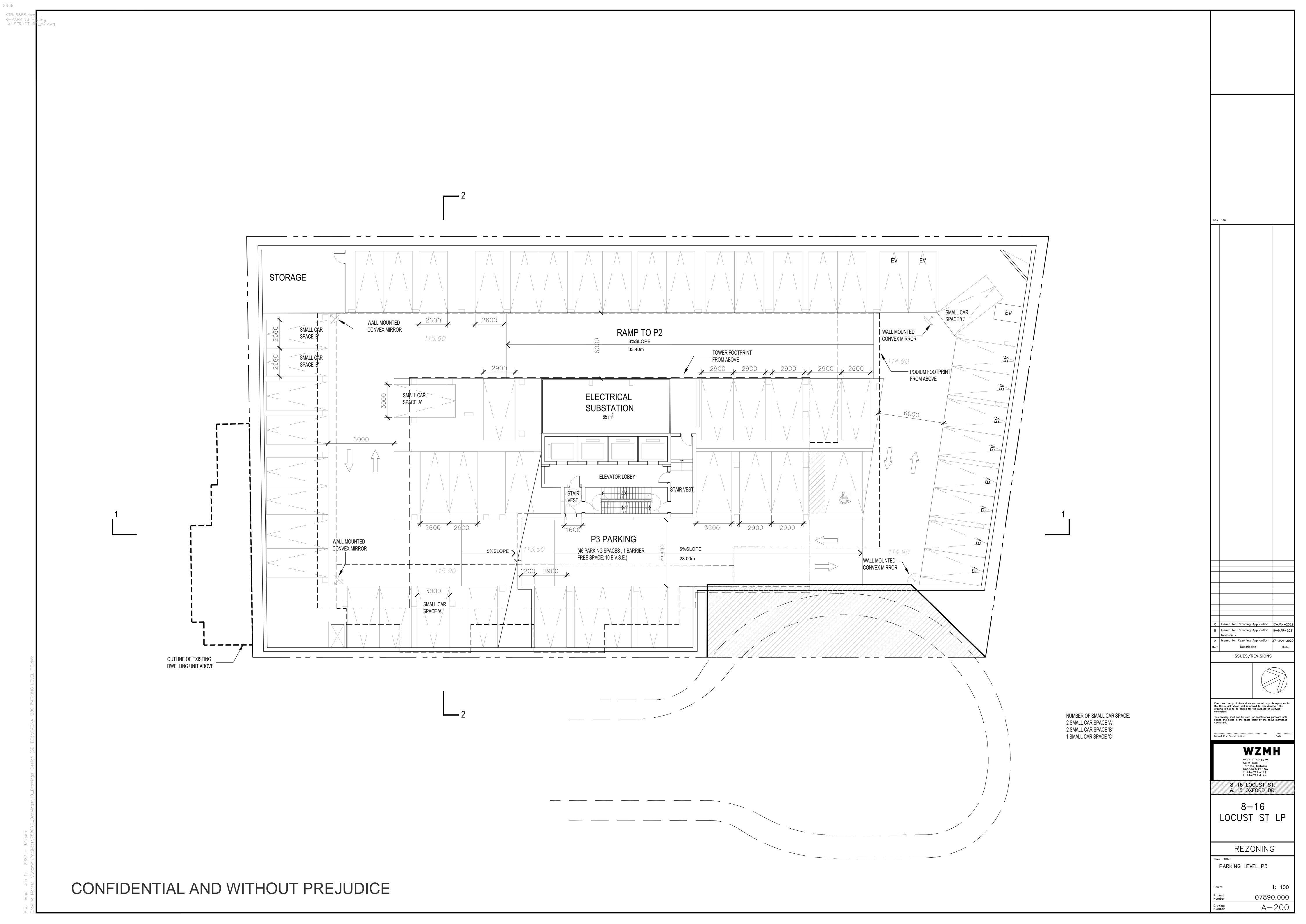
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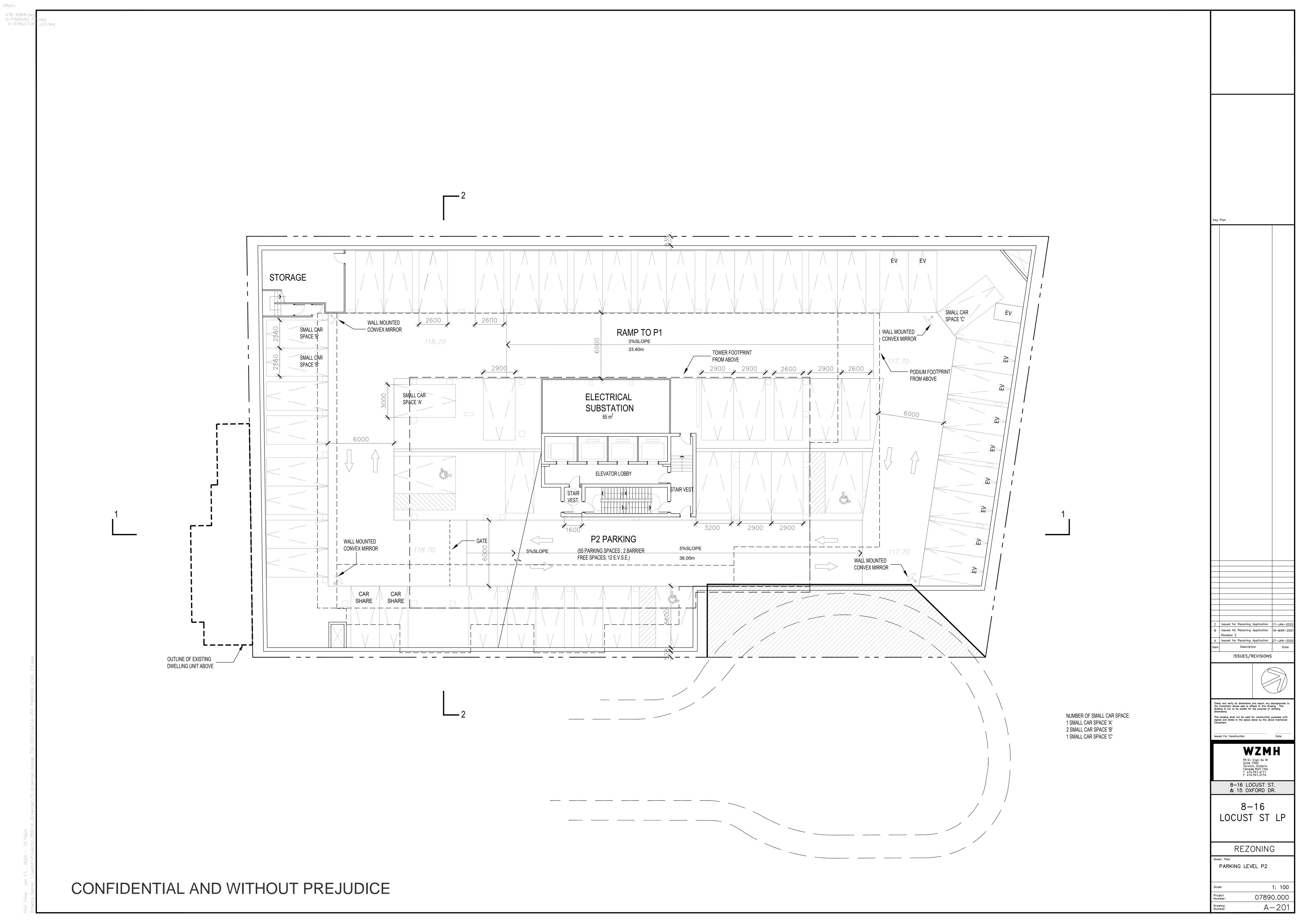
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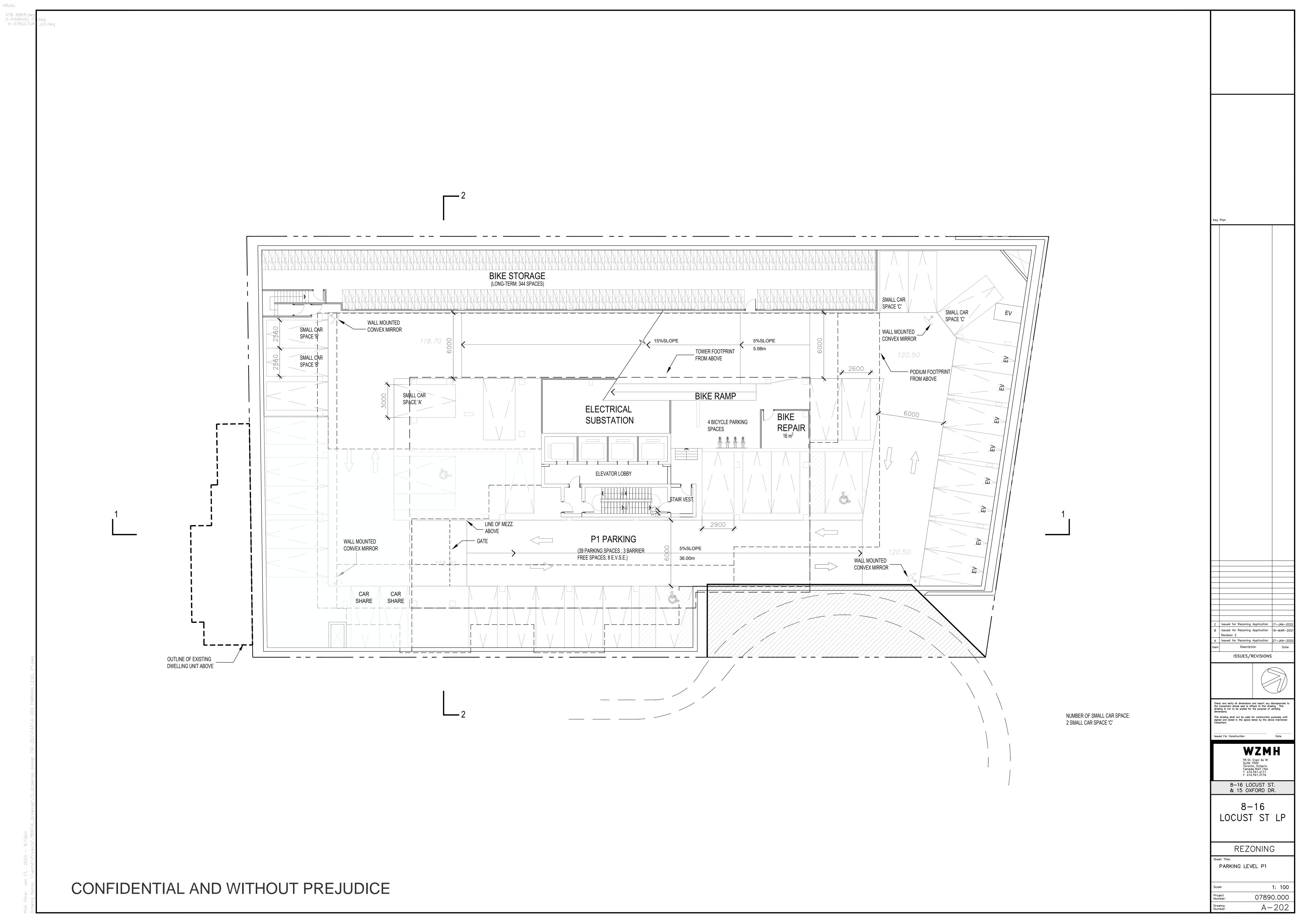
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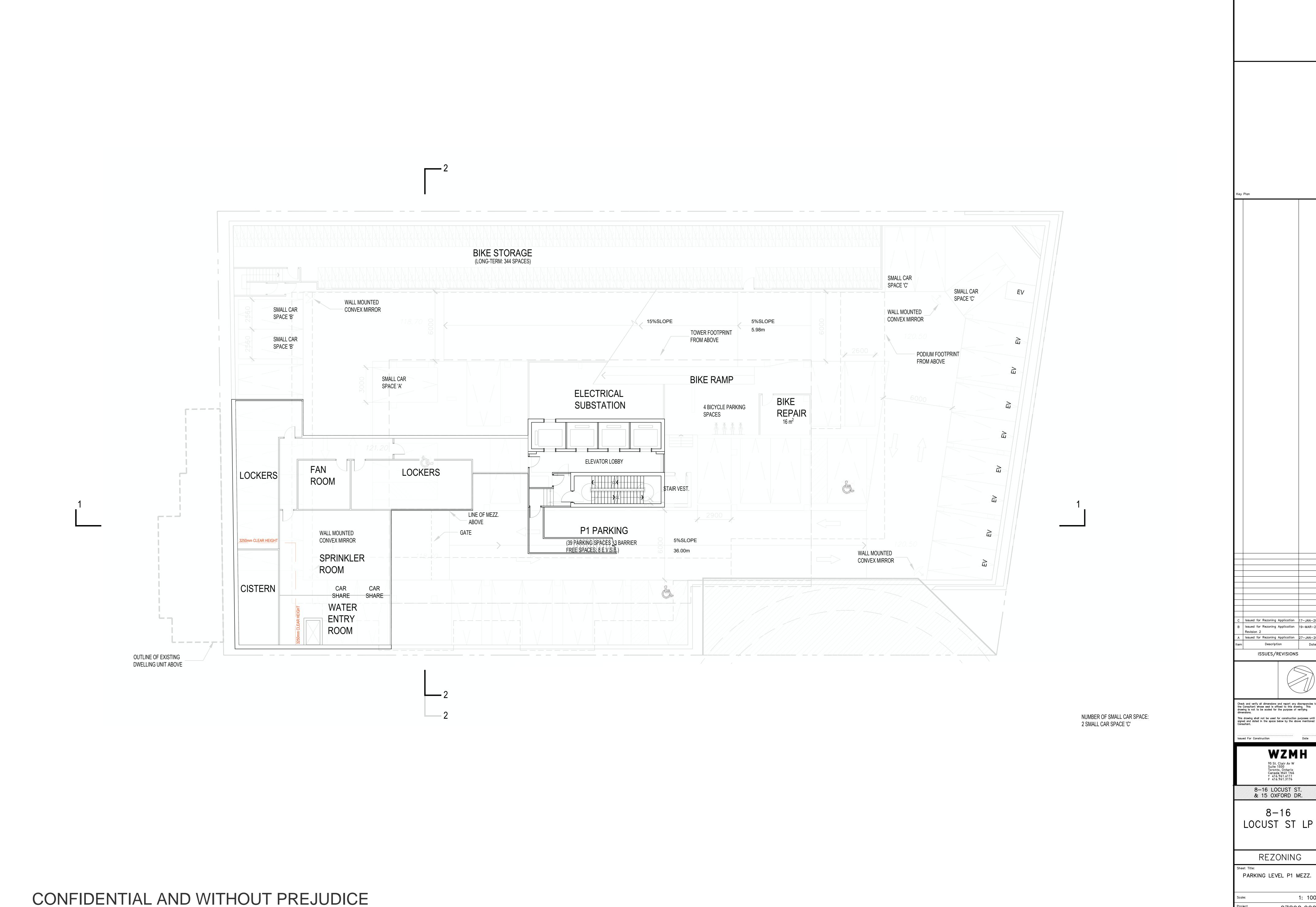
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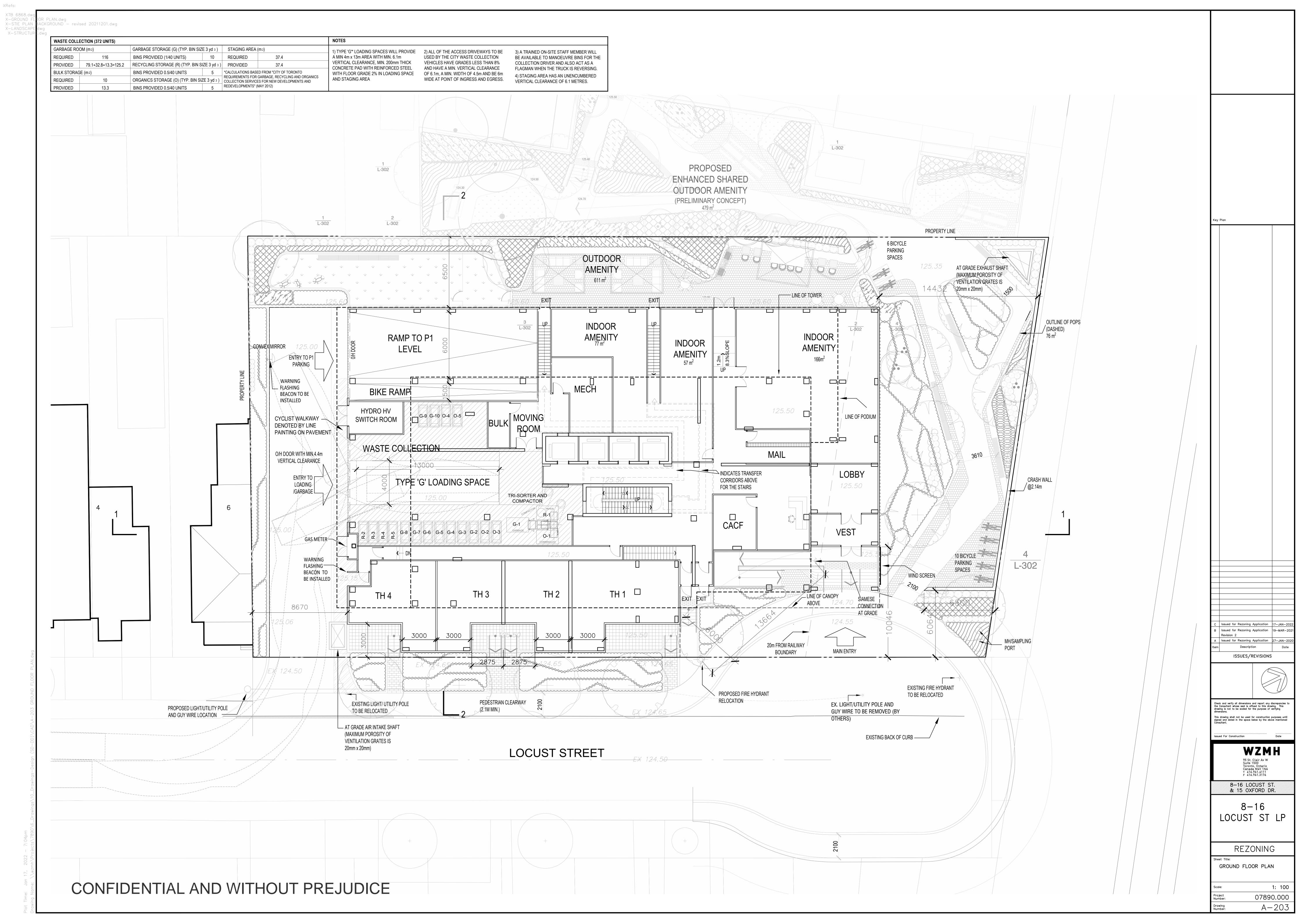
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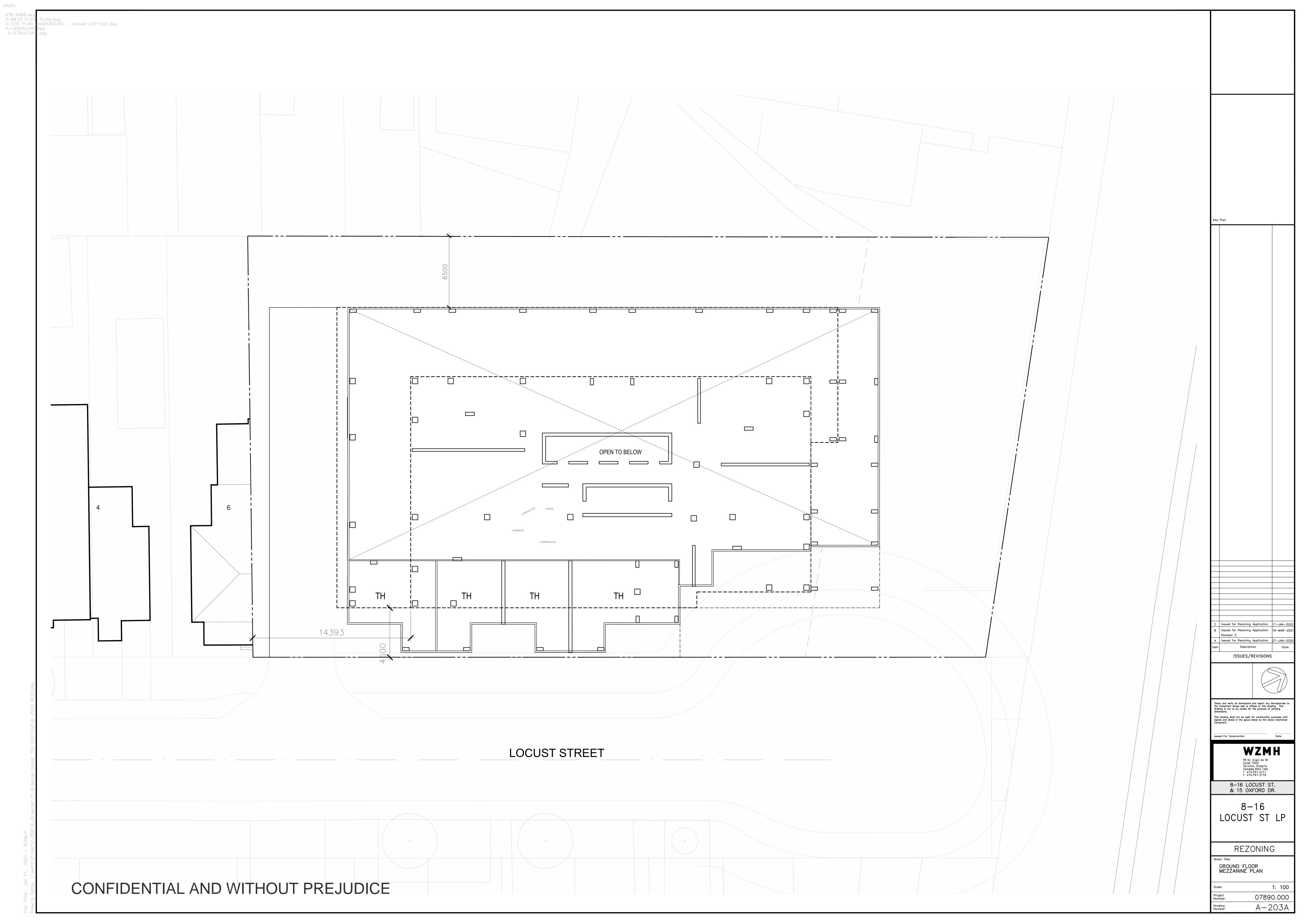
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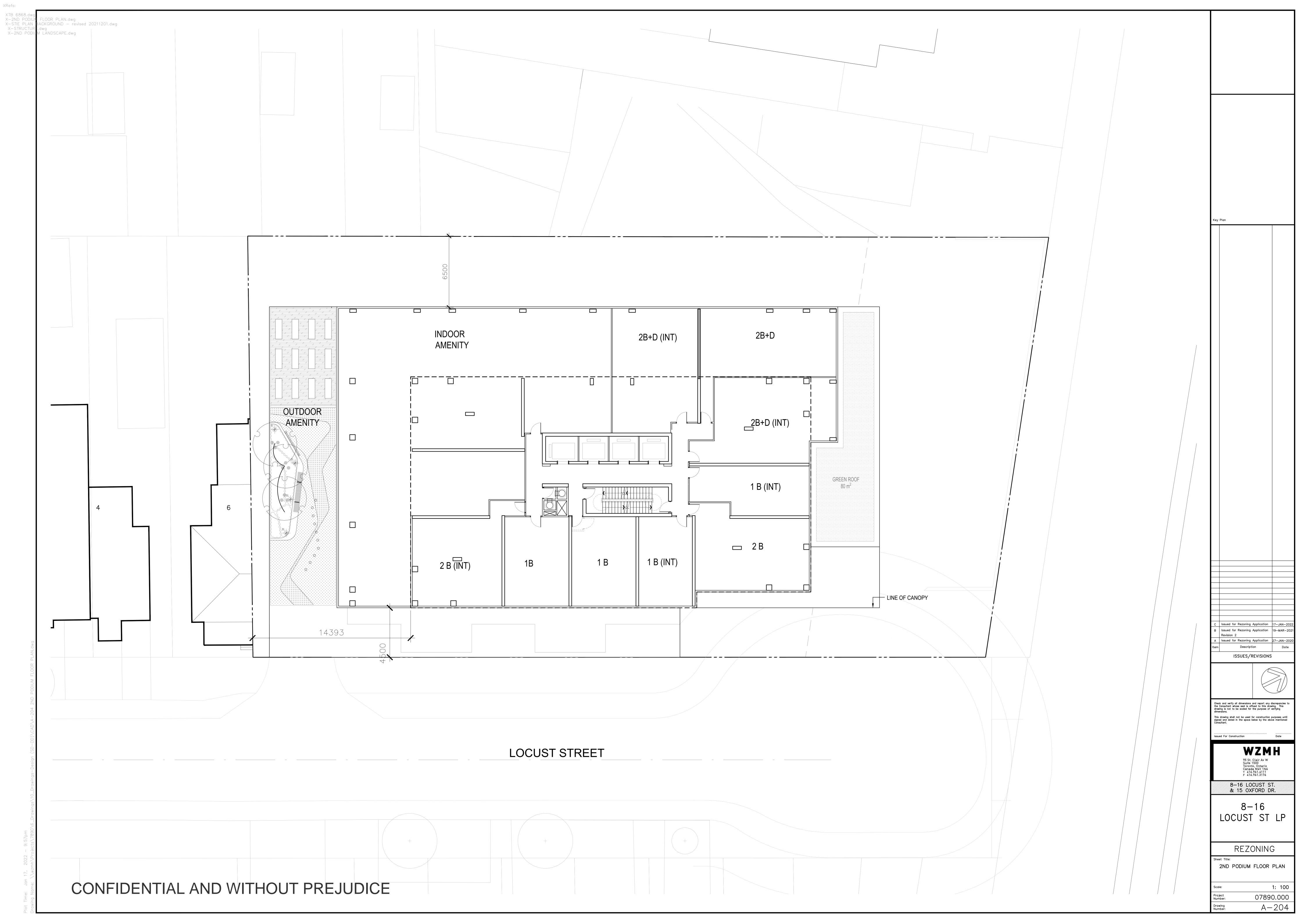
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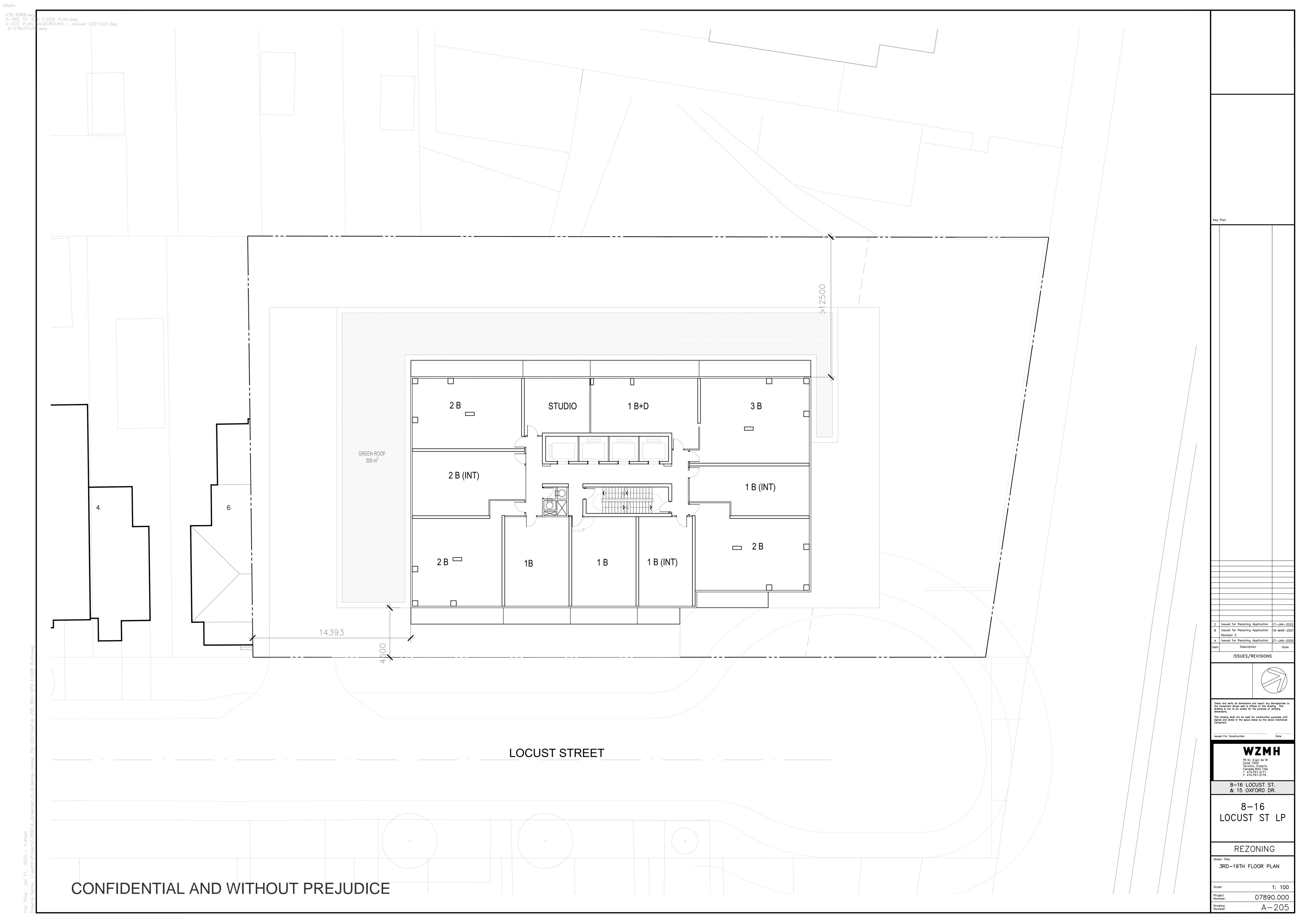
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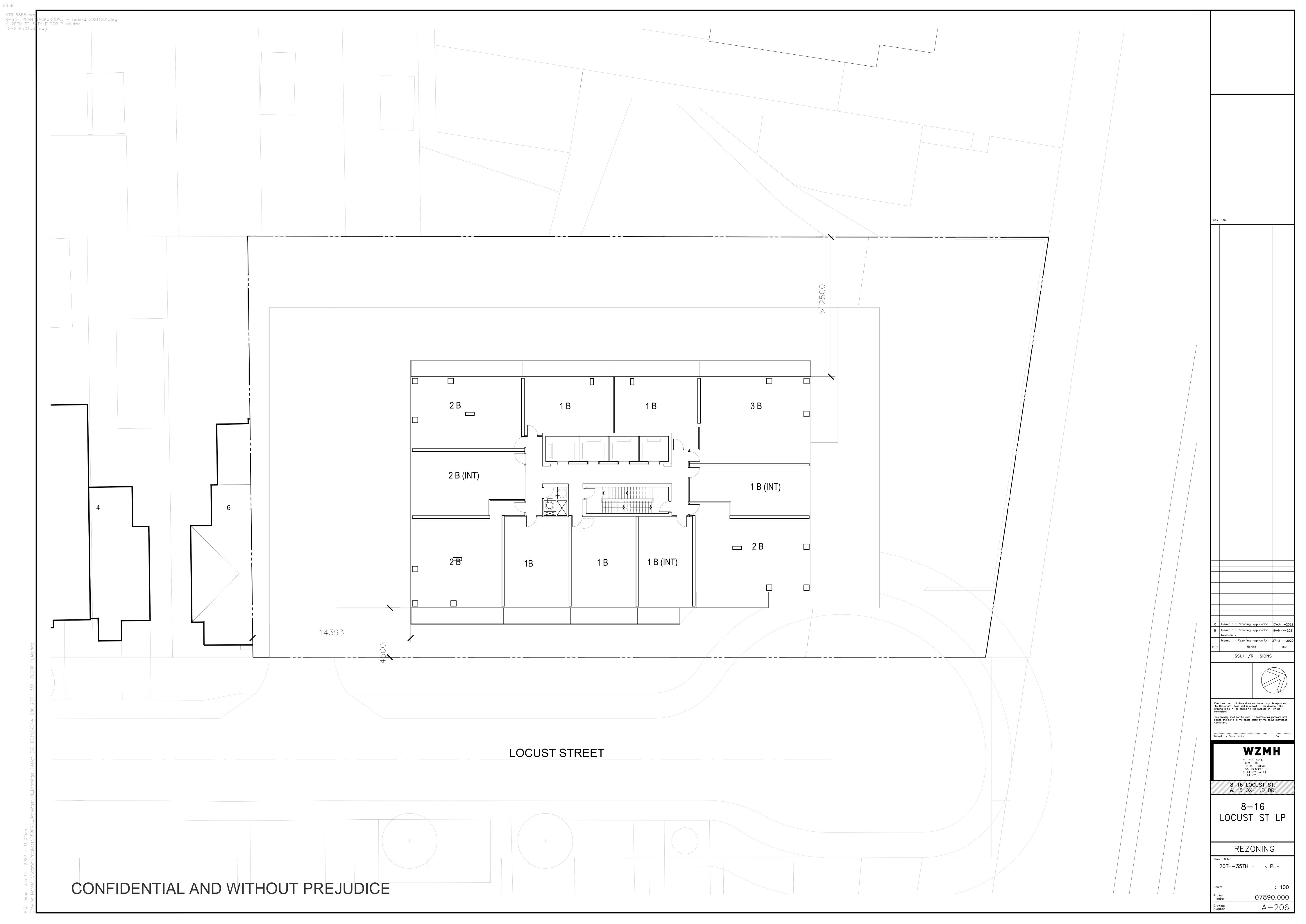
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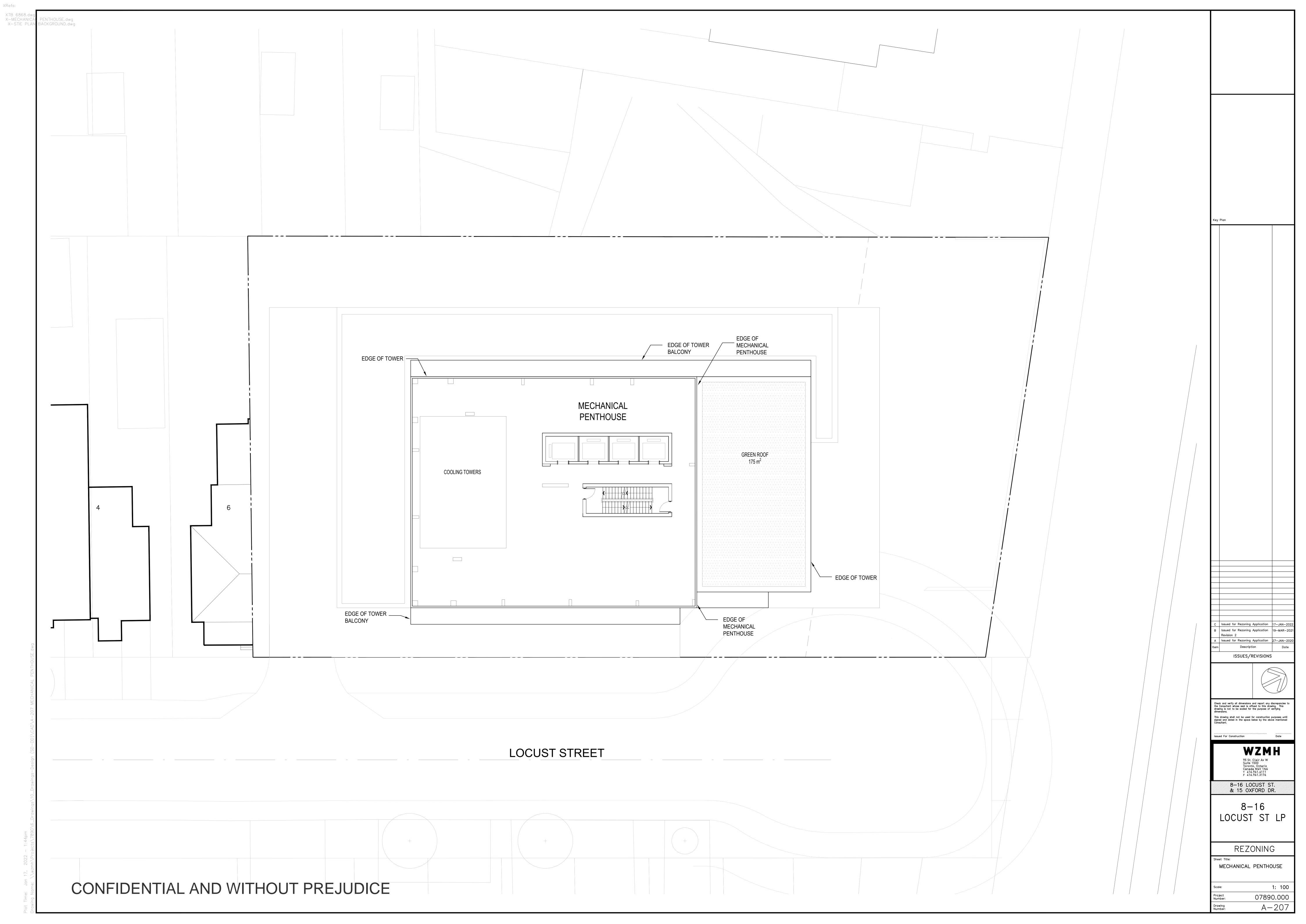


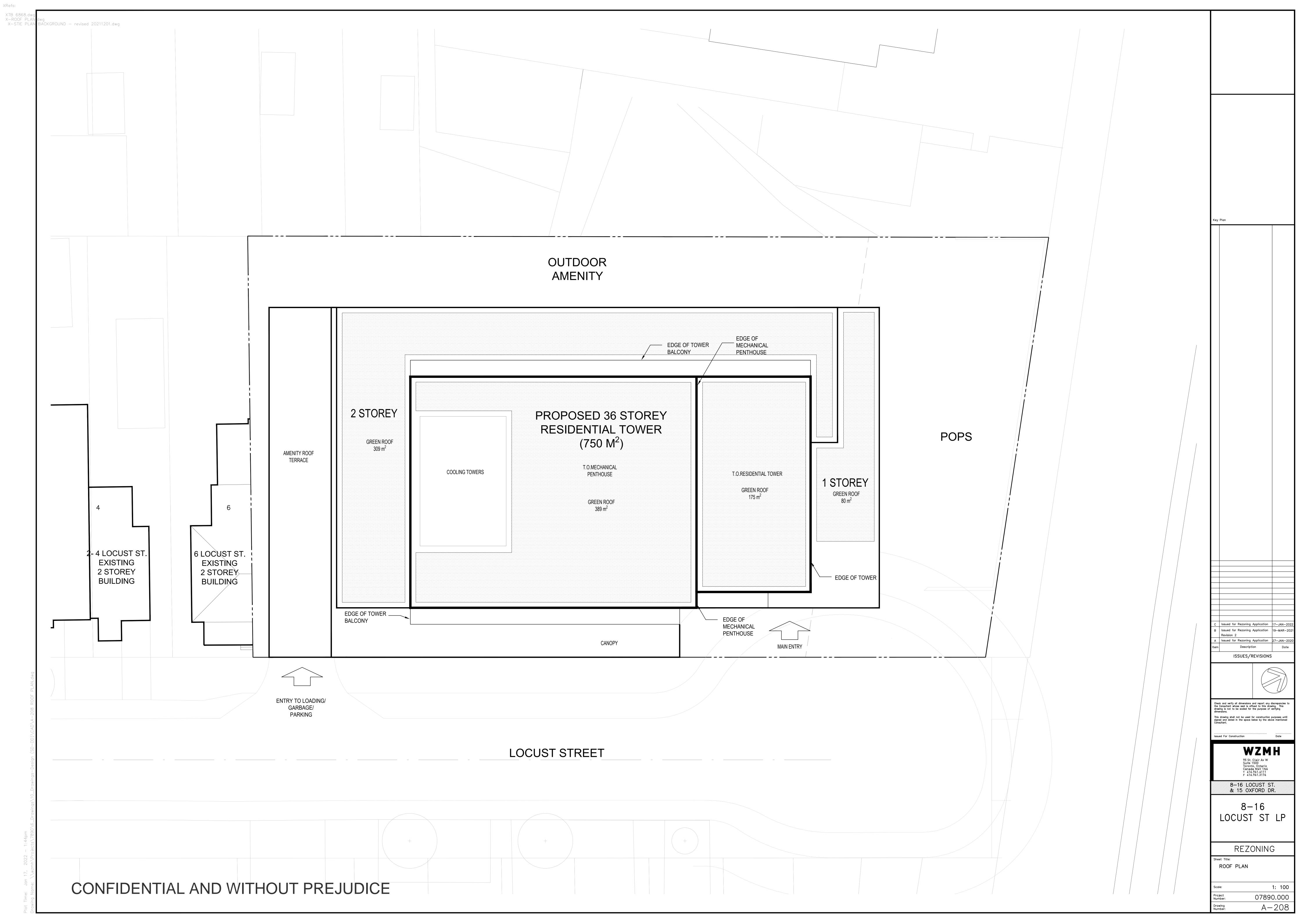


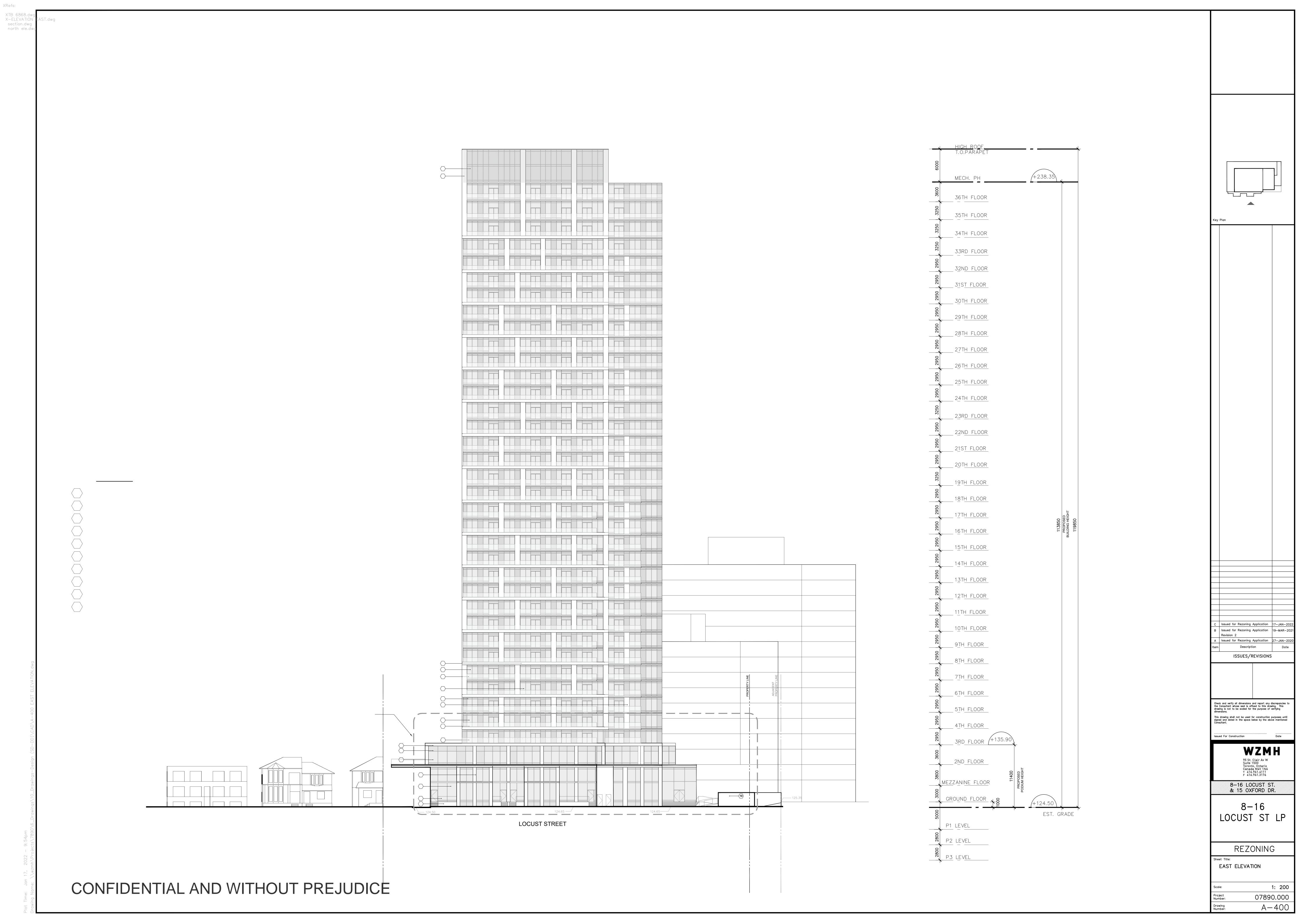


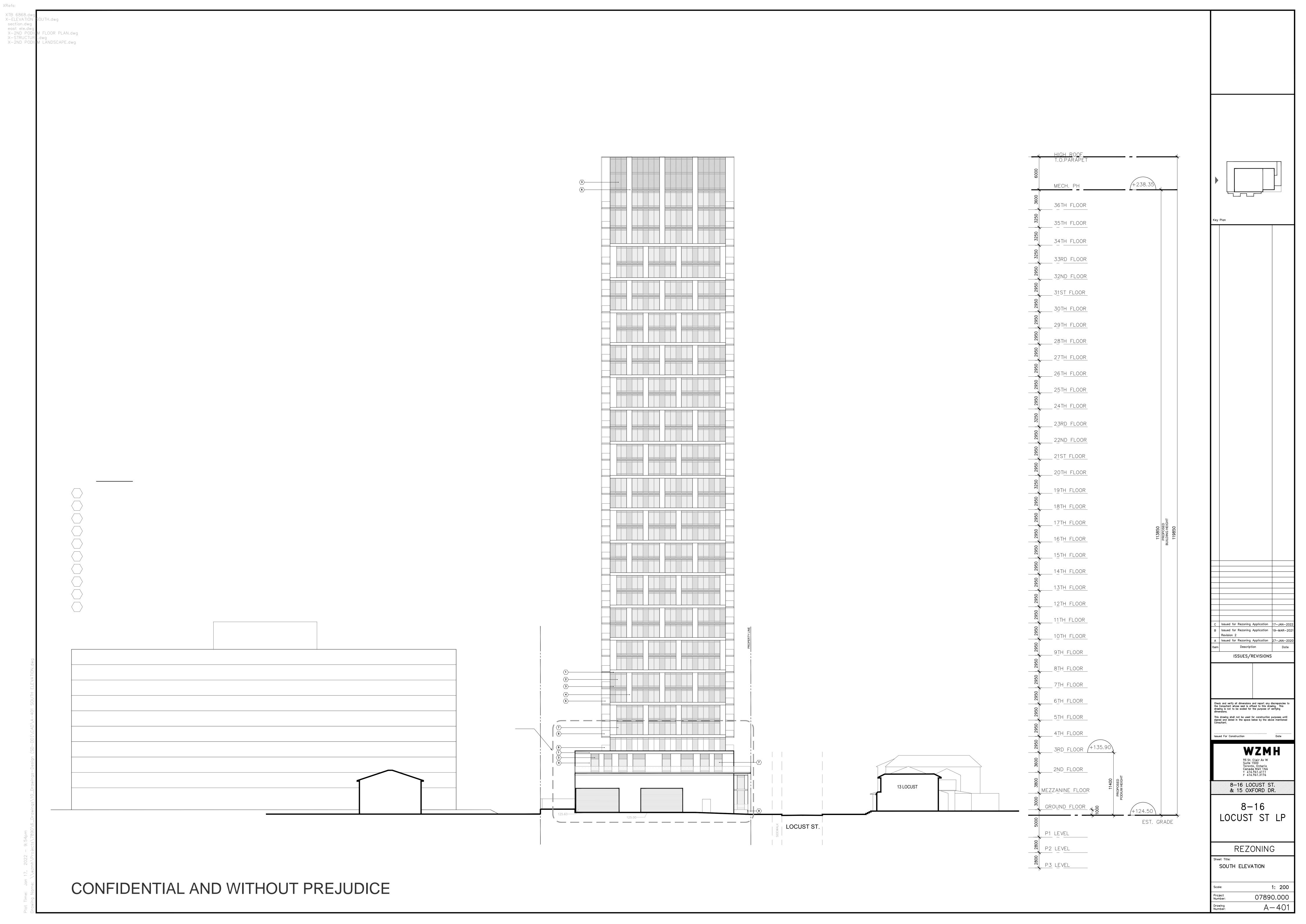


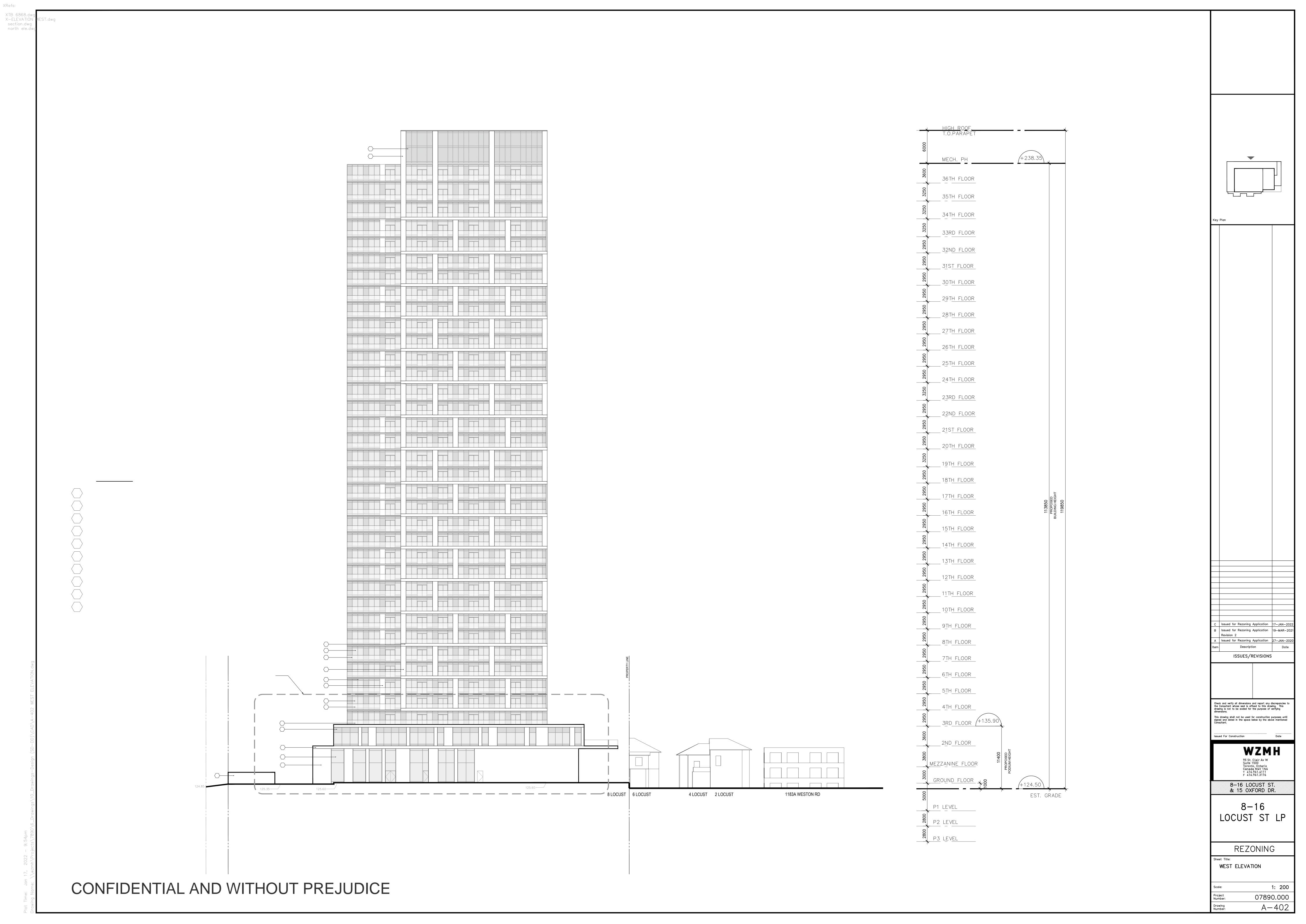


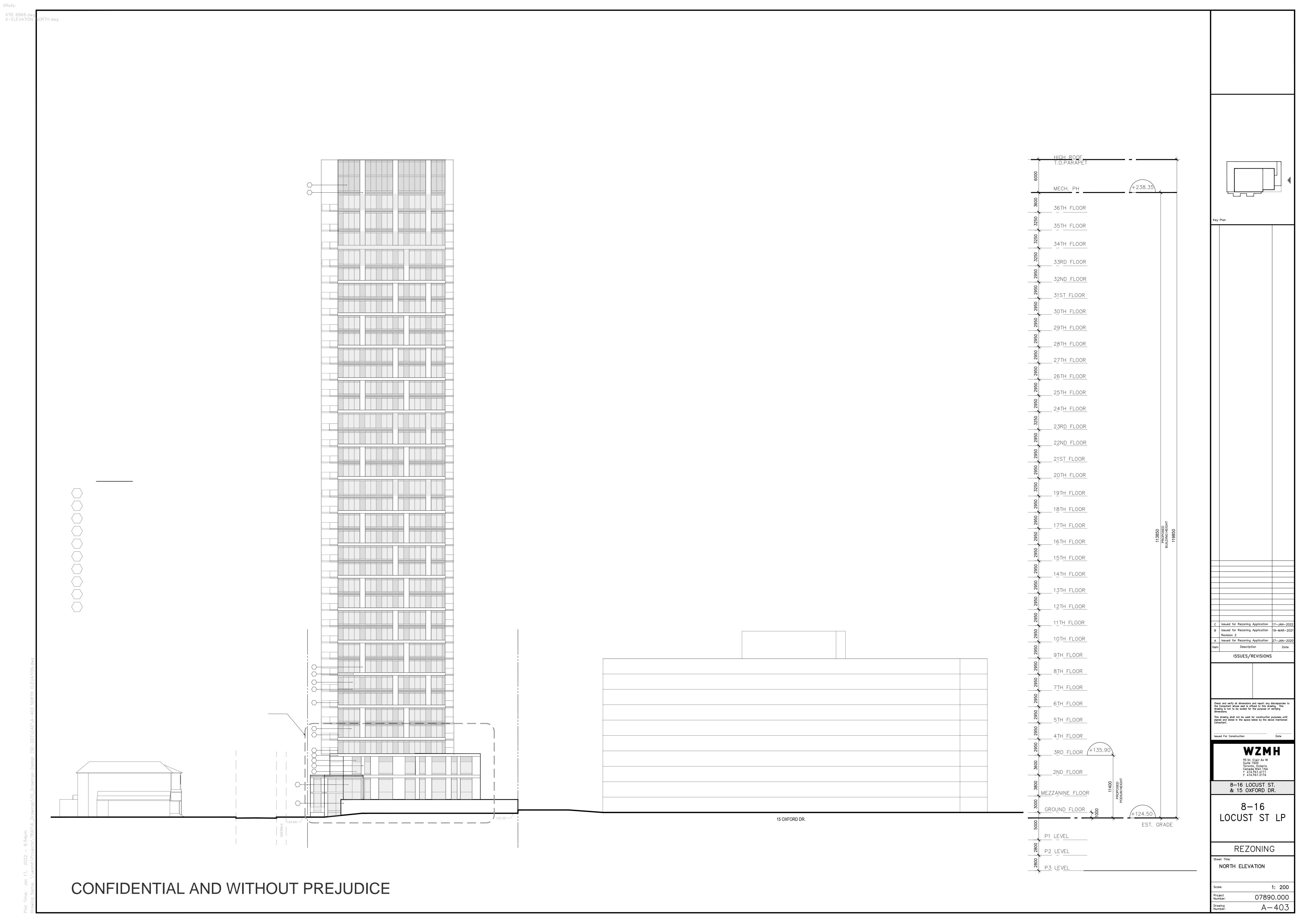


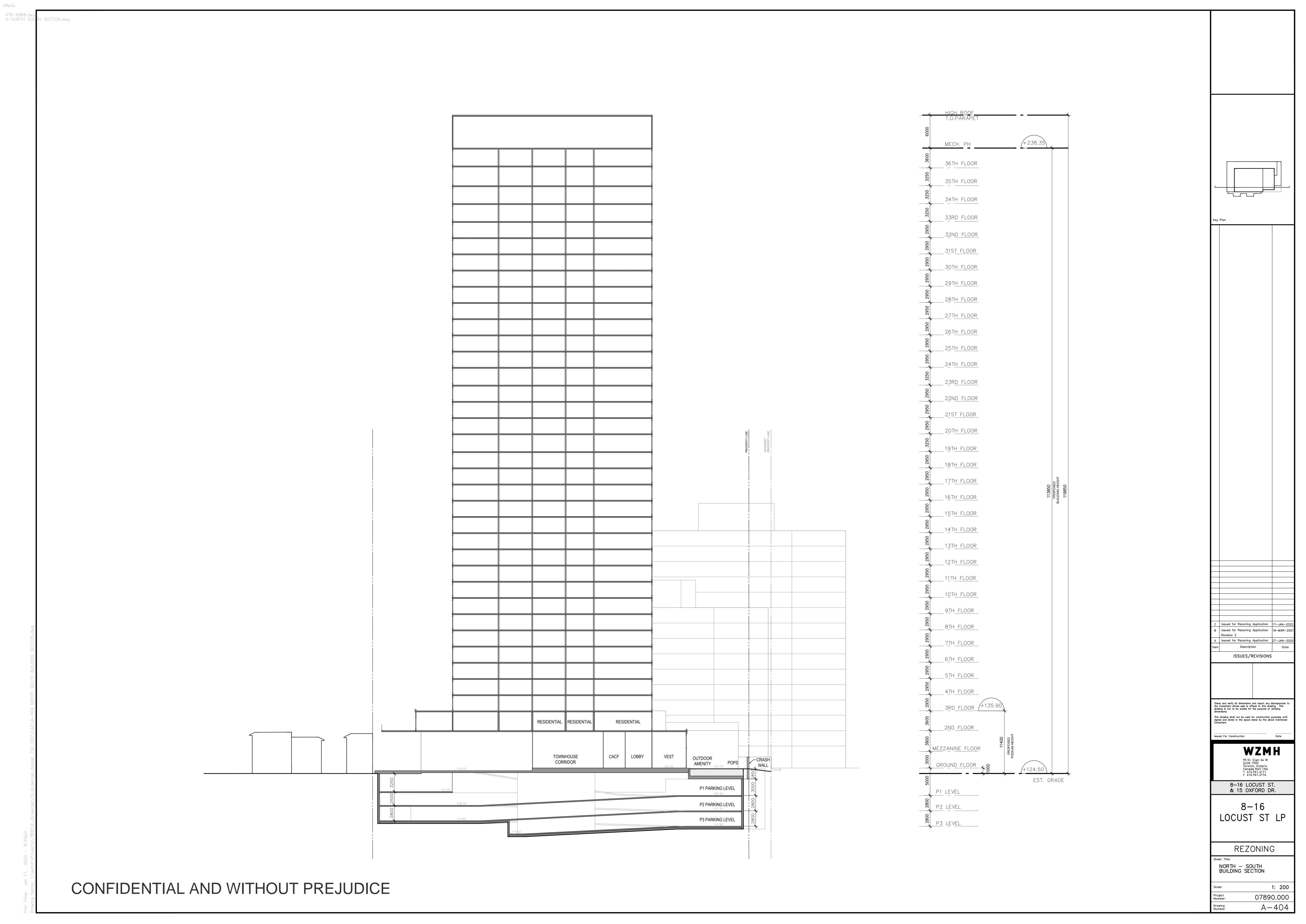


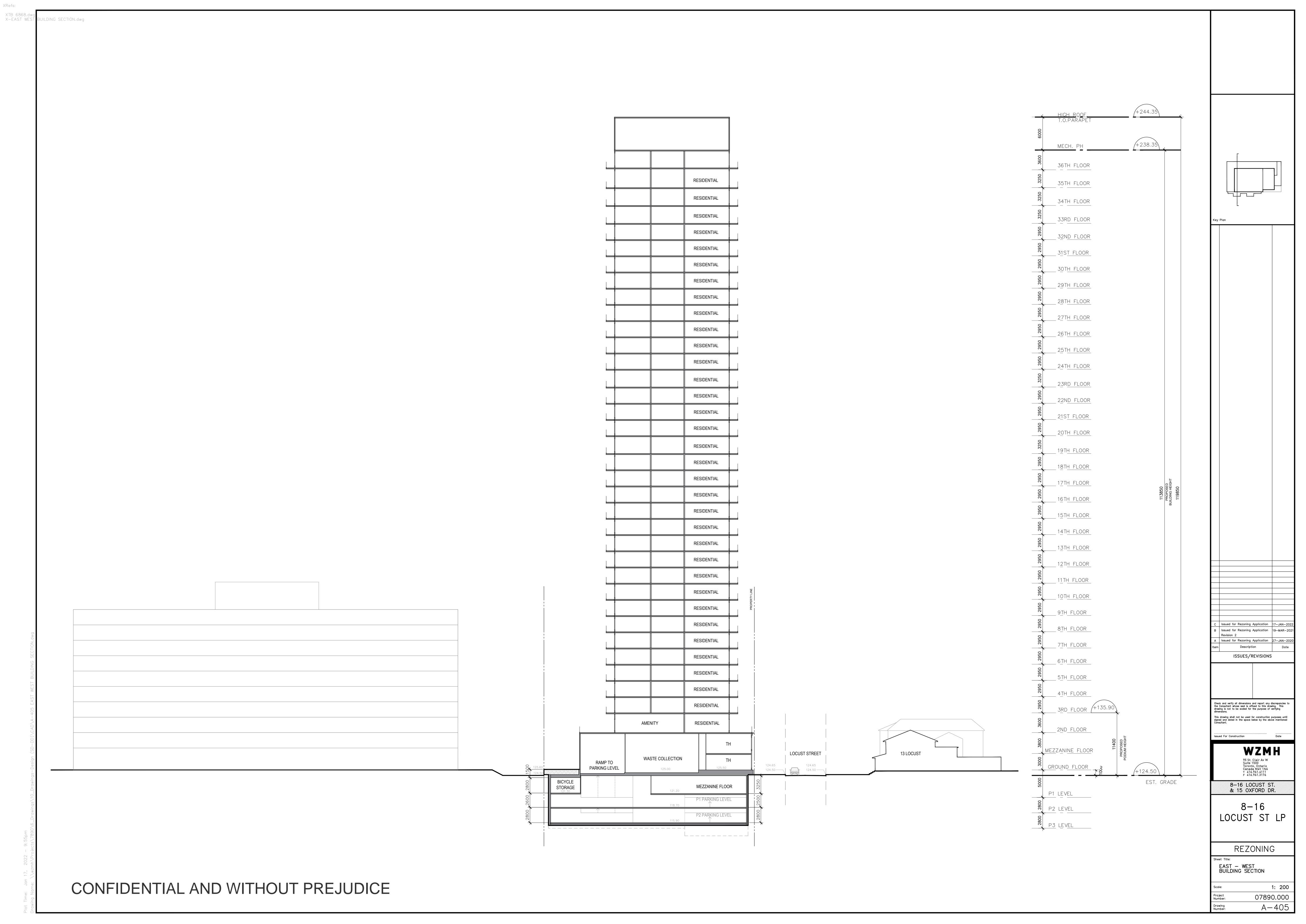










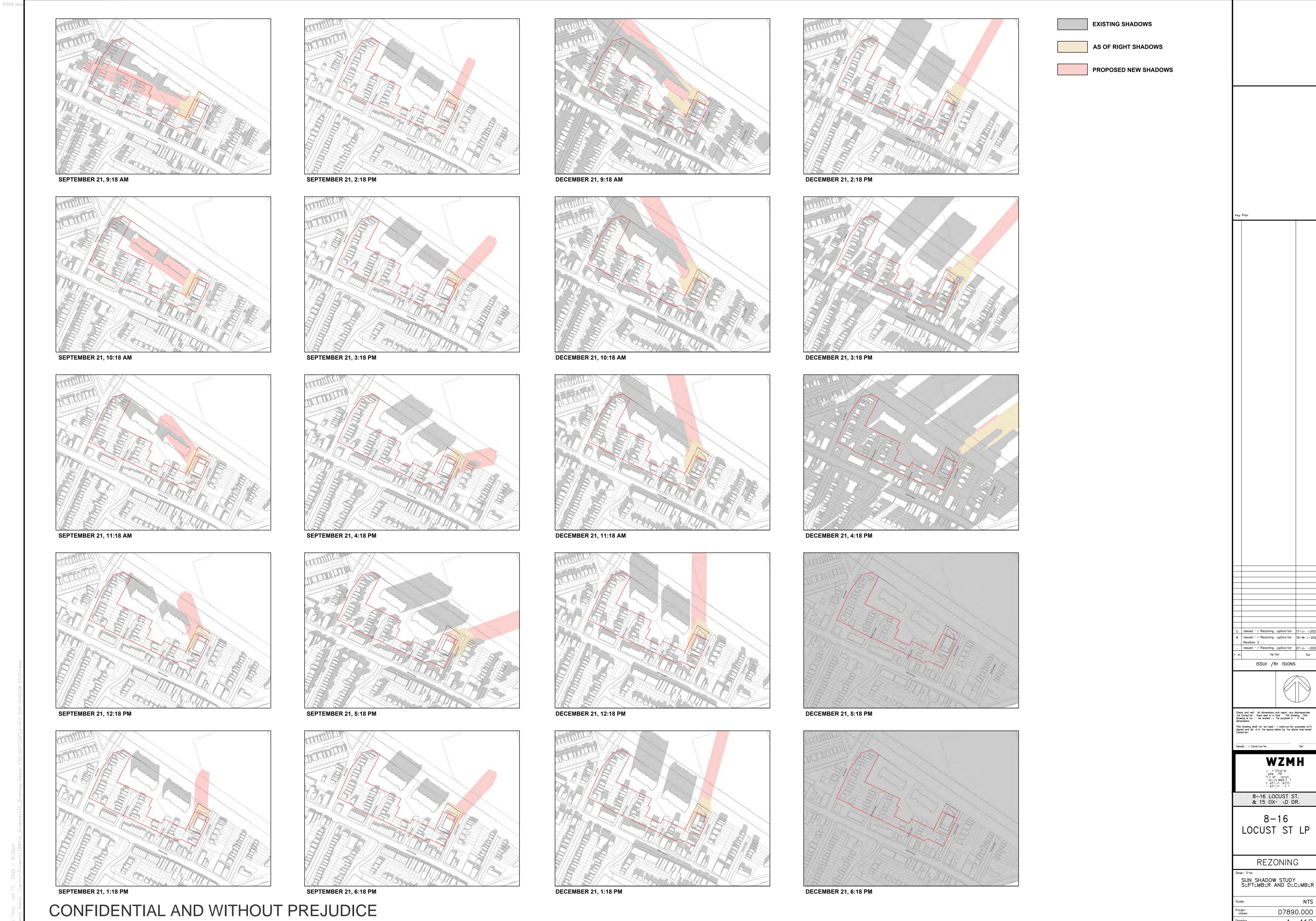




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